

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

CARLOS LEE,

Plaintiff,

vs.

No. CIV 12-0223 JB/WDS

KARI E. BRANDENBURG, and  
JENNIFER E. ROMERO,

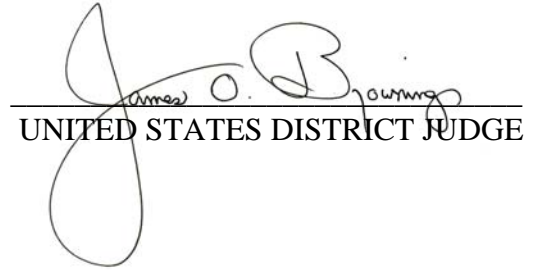
Defendants.

**ORDER OF DISMISSAL WITHOUT PREJUDICE**

**THIS MATTER** comes before the Court on the Order Granting Leave to Proceed Pursuant to 28 U.S.C. § 1915(b) and to Make Payments or Show Cause, filed March 7, 2012 (Doc. 4) (“Order”). In the Order, the Honorable W. Daniel Schneider, United States Magistrate Judge, required Plaintiff Carlos Lee to make an initial partial payment toward the filing fee. See Order at 1. Judge Schneider notified Lee that failure to comply with the Order could result in dismissal of the Civil Rights Complaint Pursuant to 42 U.S.C. § 1983, filed March 5, 2012 (Doc. 1) (“Complaint”). Order at 1. Judge Schneider gave Lee thirty days from the entry of the Order to comply. See Order at 1. Thirty days have now passed, and Lee has not responded to the Order or otherwise shown cause to excuse the failure. Failure to comply with court orders or statutory requirements, or to show cause for excusing the failure, constitutes grounds for dismissing a complaint. See Baker v. Suthers, 9 F. App’x 947, 950 (10th Cir. 2001)(unpublished)(“Under the circumstances, we cannot say that the district court abused its discretion in dismissing Mr. Baker’s complaint without prejudice for failure to pay the initial partial filing fee or show a legitimate or acceptable cause for not paying.”). The Court will dismiss Lee’s Complaint without prejudice.

**IT IS ORDERED** that Plaintiff Carlos Lee’s Civil Rights Complaint Pursuant to 42 U.S.C.

§ 1983, filed March 5, 2012 (Doc. 1), is dismissed without prejudice, and this action is dismissed.



UNITED STATES DISTRICT JUDGE

*Parties:*

Carlos Lee  
Metropolitan Detention Center  
Albuquerque, New Mexico

*Plaintiff pro se*